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## VIA HAND DELIVERY

September 29, 2011

Kim Collins  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

Re: MUR 6463

Dear Ms. Collins:

We write as counsel to the Democratic National Committee, including Organizing for America, Florida, a project of the DNC, and Andrew Tobias, Treasurer (the "DNC") and the Obama Victory Fund, and Andrew Tobias, Treasurer ("OVF"). OVF is a joint fundraising committee in which the DNC participated. On May 16, 2011, we filed a response with the Commission on behalf of the DNC regarding a complaint filed by Iraj J. Zand and Raymond Sehayek ("Complainants") on March 22, 2011 (the "Complaint"). On July 11, 2011, we then filed a second response to additional information filed by the Complainants on June 16, 2011 (the "Supplemental Filing"). We now further respond to information filed by Complainants on July 25, 2011 (the "Second Supplemental Filing"), which also concerns OVF. For the reasons stated below and in the DNC's previous responses, the Commission should immediately dismiss this matter as to the DNC and OVF.

The Second Supplemental Filing primarily alleges that Jack and Mona Antaramian may have exceeded the biennial aggregate limit under 2 U.S.C. § 441a(a)(3). As an initial note, Complainants have apparently double-counted both the Antaramians' contributions to joint fundraising committees and the disbursements from those joint fundraising committees to the participant committees in reaching their conclusions. Additionally, as this pertains to the DNC and OVF, "[i]t is the responsibility of the contributor to stay within the biennial limits, not that of the recipient political committee ... ." See MUR 5625, Statement of Reasons of Vice Chair

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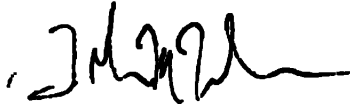
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Cynthia L. Bauerly and Commissioners Steven T. Walther and Ellen L. Weintraub (May 19, 2010). The Second Supplemental Filing also notes that Jack Antaramian may have individually paid for some expenses associated with an OVF event that were not accounted for by the parties. Counsel for the Antaramians has now submitted a statement of these expenses to the DNC. As OVF has filed its Termination Report and is awaiting approval by the Commission, the DNC is issuing payment for the expenses which are being properly attributed under the Commission's joint fundraising regulations at 11 C.F.R. § 102.17.

Finally, the Second Supplemental Filing does not include any new factual allegations that support the claims in the initial Complaint or Supplemental Filing, and accordingly, the DNC reaffirms and continues to rely on its previous responses. The Commission should find no reason to believe that the DNC or OVF violated the Act and should dismiss this matter immediately.

Very truly yours,



Robert F. Bauer  
Rebecca H. Gordon  
Graham M. Wilson  
Counsel to Respondents